



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 7, 2022

BY ECF AND EMAIL

Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: United States v. Arce and Fernandez, 22 Cr. 199 (LGS)

Dear Judge Schofield:

A conference in this case is currently scheduled for Monday, December 12, 2022. The Government and both defendants jointly request that the conference date be adjourned by approximately 45 days, because the parties are discussing a pretrial resolution.

With the consent of both defendants, the Government respectfully requests, pursuant to 18 U.S.C. § 3161(h)(7), that time be excluded from December 12, 2022, until the date of the next conference, to permit the defense to review the discovery and consider a possible pretrial disposition in this case.

Application Granted. The status conference currently scheduled for December 12, 2022, is adjourned to **January 31, 2023, at 10:20 a.m.** The Court finds that the ends of justice served by excluding the time between today and January 31, 2023, outweigh the best interests of the public and the Defendants in a speedy trial as provided in 18 U.S.C. § 3161(h)(7)(A) because, among other things, the parties are presently engaged in discussions regarding a potential disposition of this matter and the exclusion would allow for those discussions to continue. It is hereby ORDERED that the time between today and January 31, 2023, is excluded. The Clerk of the Court is directed to terminate the letter motion at docket number 41.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

by: /s/Kevin Mead
Kevin Mead
Michael Herman
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CC: Counsel of Record (by ECF)

Dated: December 8, 2022
New York, New York

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE